



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/381,190      | 11/23/1999  | HIROMI YOSHINARI     | 450106-4749         | 3610             |

20999 7590 05/01/2003

FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER

BURD, KEVIN MICHAEL

ART UNIT PAPER NUMBER

2631

DATE MAILED: 05/01/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/381,190

Applicant(s)

YOSHINARI ET AL.

Examiner

Kevin M Burd

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 November 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) Z.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. Figure 15 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The disclosure is objected to because of the following informalities: Numerous run on sentences appear in the specification. A few examples of these run on sentences appear on: p18, line 14 to p19, line 6; p19, line 7-24; p 19, line 25 to p20, line 15; p20, line 16 to p21, line 10; p21, line 11 to p22, line 2 and p22, line 3 to p23 line 3.

Appropriate correction to all occurrences of run on sentences is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-17, 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Linzer et al (US 6,038,256).

Regarding claims 1, 8, 15, 16 and 19, Linzer discloses a method of encoding multiplexed video signals. Figure 6 discloses a first bit stream being input to transcoder 1 and a second bit stream being input to transcoder 2. Each transcoder has a decoder portion, which decodes the retrieved compressed video bit stream to reproduce the video signal (column 9, lines 11-13). These portions of the transcoders are the first and second decoding means. The statistics computer 76 receives a priori statistics corresponding to the retrieved compressed video bit streams (column 9, lines 6-11). The a priori statistics are the "codec information" and the statistics computer is the controlling means. Each transcoder also has an encoder, which re-encodes the reproduced video signal to produce a re-compressed video signal. The re-encoding of the reproduced video signal in each transcoder is controlled to achieve a bit rate as per a bit allocation received from the statistics computer (column 9, lines 13-18). The re-compressed video bit streams are outputted to a multiplexer 71, which combines the re-compressed video streams into a single multiplexed bit stream, which is outputted on channel output 73 (column 9, lines 21-28). The re-encoders and combiner make up the encoding means. The video bit streams are combined together to form a new bit stream.

Regarding claims 2, 9, 17 and 20, the first and second bit streams are input or "selected" to be decoded and re-encoded and input to the multiplexer. The output of the multiplexer is "selected" for output on the channel 73.

Regarding claims 3 and 10, the decoded signals are re-encoded and combined in the multiplexer.

Regarding claims 4 and 11, the encoded signals are input to the transcoders from storage device 74. The combined signal is output on channel 73. The output is sent to downstream devices that can include a storage device.

Regarding claims 5-7 and 12-14, the inputted bit streams are compressed video bit streams that are received from other elements. The video can be video of any kind.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18 and 21-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linzer et al (US 6,038,256).

Regarding claims 18 and 21, Linzer discloses a method of encoding multiplexed video signals as stated above. The decoded signals are re-encoded and combined in the multiplexer. Linzer does not disclose storing the output of the decoder nor storing the "codec information" however, it would have been obvious for one of ordinary skill in the art at the time of the invention to store this information. If errors were to occur at the output of the system, error checks at each stage of the re-encoding process would be possible. The error correction process time could be reduced by eliminating the need to

check every step of the re-encoding process if the output from each component was known.

Regarding claims 22-27, Linzer discloses a method of encoding multiplexed video signals. Figure 6 discloses a first bit stream being input to transcoder 1 and a second bit stream being input to transcoder 2. Each transcoder has a decoder portion, which decodes the retrieved compressed video bit stream to reproduce the video signal (column 9, lines 11-13). These portions of the transcoders are the first and second decoding means. The statistics computer 76 receives a priori statistics corresponding to the retrieved compressed video bit streams (column 9, lines 6-11). The a priori statistics are the "codec information" and the statistics computer is the controlling means. Each transcoder also has an encoder, which re-encodes the reproduced video signal to produce a re-compressed video signal. The re-encoding of the reproduced video signal in each transcoder is controlled to achieve a bit rate as per a bit allocation received from the statistics computer (column 9, lines 13-18). The re-compressed video bit streams are outputted to a multiplexer 71, which combines the re-compressed video streams into a single multiplexed bit stream, which is outputted on channel output 73 (column 9, lines 21-28). The re-encoders and combiner make up the encoding means. The video bit streams are combined together to form a new bit stream. Linzer discloses a method of encoding multiplexed video signals as stated above. The decoded signals are re-encoded and combined in the multiplexer. Linzer does not disclose storing the output of the decoder nor storing the "codec information" however, it would have been obvious for one of ordinary skill in the art at the time of the invention to store this information. If

Art Unit: 2631

errors were to occur at the output of the system, error checks at each stage of the re-encoding process would be possible. The error correction process time could be reduced by eliminating the need to check every step of the re-encoding process if the output from each component was known.

**Contact Information**

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231


**or faxed to:**

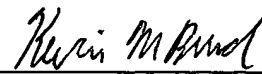
(703) 872-9314, (for formal communications intended for entry or for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Burd, whose telephone number is (703) 308-7034. The Examiner can normally be reached on Monday-Thursday from 9:00 AM - 6:00 PM.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600 4/29/03

  
Kevin M. Burd  
PATENT EXAMINER  
4/24/03